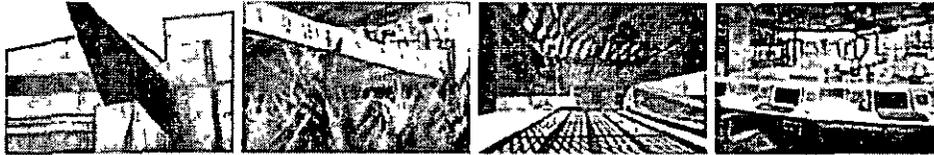


A U S T I N C I T Y C O U N C I L

AGENDA



Thursday, February 15, 2007

+ Back Print

**Zoning and Neighborhood Plan Amendments
(Public Hearings and Possible Action)
RECOMMENDATION FOR COUNCIL ACTION**

ITEM No. 58

Subject: C14-06-0232 - 11200 F.M. 2222 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 11200 F.M. 2222 (Bull Creek Watershed) from interim-single-family residence-standard lot (I-SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Henry B. Mayes, Jr. Trustee. Agent: Graves, Dougherty, Hearon & Moody, P.C. (Peter Cesaro). City Staff: Wendy Walsh, 974-7719.

**Additional Backup
Material**

(click to open)

- Staff Report**
- Ordinance**

For More Information:

ZONING CHANGE REVIEW SHEET

CASE: C14-06-0232

Z.A.P. DATE: January 23, 2007

ADDRESS: 11200 F M. 2222

OWNER/APPLICANT: Henry B. Mayes. Jr., Trustee

AGENT: Graves, Dougherty, Hearon & Moody, P.C. (Peter J. Cesaro)

ZONING FROM: I-SF-2 (Interim-Single Family Residence Standard Lot)
TO: GR-CO (Community Commercial-Conditional Overlay)

AREA: 0.292 acres

SUMMARY STAFF RECOMMENDATION:

Staff recommends GR-CO. The conditional overlay would limit the development to us that generate no more than 2,000 vehicle trips per day.

ZONING AND PLATTING COMMISSION:

January 23, 2007. Approved GR-CO on consent with the following conditions

- Limit to uses that generate no more than 2,000 vehicle trips per day
- Prohibit Automotive Rentals, Automotive Repair Services, Automotive Sales, Automotive Washing (of any type), Pawn Shop Services

Vote: 8-0 (J. Martinez 1st, S. Hale 2nd; J. Pinelli absent)

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
Site	I-SF-2	Undeveloped
North	PUD	Four Points PUD, including Target retail store
South	I-SF-2, GR-CO	I-SF-2: Boat repair/sales GR-CO: Undeveloped.
East	PUD	Four Points PUD, including Target retail store
West	GR-MU-CO	Car wash facility, Townhomes

AREA STUDY: N/A

TIA: Not required

COUNTY: Travis

WATERSHED: Bull Creek

DESIRED DEVELOPMENT ZONE: No

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: Yes

REGISTERED NEIGHBORHOOD/COMMUNITY ORGANIZATIONS:

965--Old Spicewood Springs Rd. Neighborhood Assn.

475--Bull Creek Foundation

426--River Place Residential Community Assn., Inc.

434--Lake Austin Business Owners

439--Concerned Citizens For P&B of FM 2222
 448--Canyon Creek Homeowners Assn.
 260--Comanche Trail Community Assn. (CTCA)
 190--Middle Bull Creek Neighborhood Assn.
 194--2222 Property Owners Assn
 157--Courtyard Homeowner Assn
 269--Long Canyon Homeowners Assn
 416--Long Canyon Phase II Homeowners Assn Inc.
 762--Steiner Ranch Community Association
 786--Home Builders Association of Greater Austin

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-03-0177	SF-2 to GR-CO	01/06/04: Approved GR-CO with condition of 2000 trips and with additional condition that Auto rental, Auto repair, Auto sales, Auto washing, and Pawn shops be prohibited uses (9-0)	02/05/04: Approved ZAP rec. of GR-CO on consent (7-0) on all 3 readings
C14-03-0073	SF-2 to GR-CO	05/20/03: Approved staff rec. of GR-CO with condition of 2000 trips; but with additional prohibition of Convenience storage, Auto sales, Auto rentals, and Pawn shops (7-0)	08/07/03: Approved GR-CO on consent (6-0) on 1 st reading 08/28/03: Approved GR-CO, condition of 2000 trip limit, on consent (6-0) on 2 nd and 3 rd readings
C14-03-0043	I-RR to GR-CO	03/04/03: Approved staff rec. of GR-CO, condition of 2000 trip limit, on consent (8-0)	08/28/03: Approved GR-CO, condition of 2000 trip limit, on consent (6-0) on 3 rd reading
C14-01-0058	SF-2 to GR-CO	05/08/01: Approved staff rec. of GR-CO with 2000 trip limit but additionally prohibited Auto-related uses (6-2, JM/RC-NO)	07/19/01: Approved PC rec. of GR-CO on consent (6-0) on all 3 readings. Conditions of 2000 trip limit and Prohibited Auto rentals, Auto sales, Auto repair, and Auto washing
C14-01-0057	SF-2 to GR-CO	05/08/01: Approved staff rec. of GR-CO with 2000 trip limit but additionally prohibited Auto-related uses (6-2, JM/RC-NO)	07/19/01: Approved PC rec. of GR-CO on consent (6-0) on all 3 readings. Conditions of 2000 trip limit and Prohibited Auto rentals, Auto sales, Auto repair, and Auto washing.
C14-01-0056	SF-2 to GR-CO	05/08/01: Approved staff rec. of GR-CO with 2000 trip limit but additionally prohibited Auto-related uses (6-2, JM/RC-NO)	07/19/01: Approved PC rec. of GR-CO on consent (6-0) on all 3 readings. Conditions of 2000 trip limit and Prohibited Auto rentals, Auto sales, Auto repair, and Auto washing.

C14-01-0040	GR-CO to GR-CO	05/08/01. Approved staff rec. of GR-CO with 2000 trip limit but additionally prohibited Auto-related uses (6-2, JM/RC-NO)	07/19/01: Approved PC rec of GR-CO on consent (6-0) on all 3 readings Conditions of 2000 tip limit and Prohibited Auto rentals, Auto sales, Auto repair, and Auto washing.
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RELATED CASES: There are no pending related cases.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
RM 2222	110'	50'	Arterial	Yes	No	No

CITY COUNCIL DATE: Feb. 15, 2007

ACTION:

ORDINANCE READINGS: 1st 2nd 3rd

ORDINANCE NUMBER:

CASE MANAGER: Tina Bui

PHONE: 974-2755

E-MAIL: tina.bui@ci.austin.tx.us

STAFF RECOMMENDATION

Staff recommends GR-CO The conditional overlay would limit the development to us that generate no more than 2,000 vehicle trips per day.

BASIS FOR RECOMMENDATION

1. *The proposed zoning should be consistent with the purpose statement of the district sought*

The GR district is intended for office and commercial uses serving neighborhood and community needs, including both unified shopping centers and individually developed commercial sites, and typically requiring locations accessible from major traffic ways.

2. *The proposed zoning should allow for a reasonable use of the property.*

The proposed zoning would allow for a fair and reasonable use of this site. The GR zoning is appropriate because of the location of the property on a major arterial roadway and the commercial character of the area.

3. *The proposed zoning should promote consistency.*

The two most recent zoning cases to the south granted the owners GR-CO zoning in 2003. Both cases were recommended by City staff under the condition that each site not be developed with uses that generate no more than 2,000 vehicle trips per day No uses were recommended by the staff for prohibition on those sites. The same recommendation for this case would be consistent with those recommendations. Additionally, in rezoning cases dating back to 2001, the staff has not recommended prohibited uses as conditions (though prohibited uses were imposed by the land use commission and/or by Council).

EXISTING CONDITIONS

Site Characteristics

The site is currently developed with a real estate office.

Hill Country Roadway

The site is within a Hill Country Roadway Corridor.

Environmental & Impervious Cover

1) The site is located over the Edward's Aquifer Recharge Zone. The site is in the Bull Creek Watershed of the Colorado River Basin, and is classified as a Water Supply Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under the current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% NSA with Transfers</i>
One or Two Family Residential	30%	40%
Multifamily Residential	40%	55%
Commercial	40%	55%

- 2) According to flood plain maps, there is no flood plain in, or within close proximity of, the project location.
- 3) The site is located within the endangered species survey area and must comply with the requirements of Chapter 25-8 Endangered Species in conjunction with subdivision and/or site plan process.
- 4) Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment
- 5) At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
- 6) Under current watershed regulations, development or redevelopment on this site will be subject to providing structural sedimentation and filtration basins with increased capture volume and 2 year detention.
- 7) At this time, no information has been provided as to whether this property has any preexisting approvals which would preempt current water quality or Code requirements.

Transportation

Additional right-of-way will be required at the time of subdivision or site redevelopment

The trip generation under the requested zoning is estimated to be 2,517 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics).

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Capital Metro bus service is not available within 1/4 mile of this property

Existing Street Characteristics.

NAME	ROW	PAVEMENT	CLASSIFICATION	BICYCLE PLAN	CAPITAL METRO	SIDEWALKS
RM 2222	110'	50'	Arterial	Yes	No	No

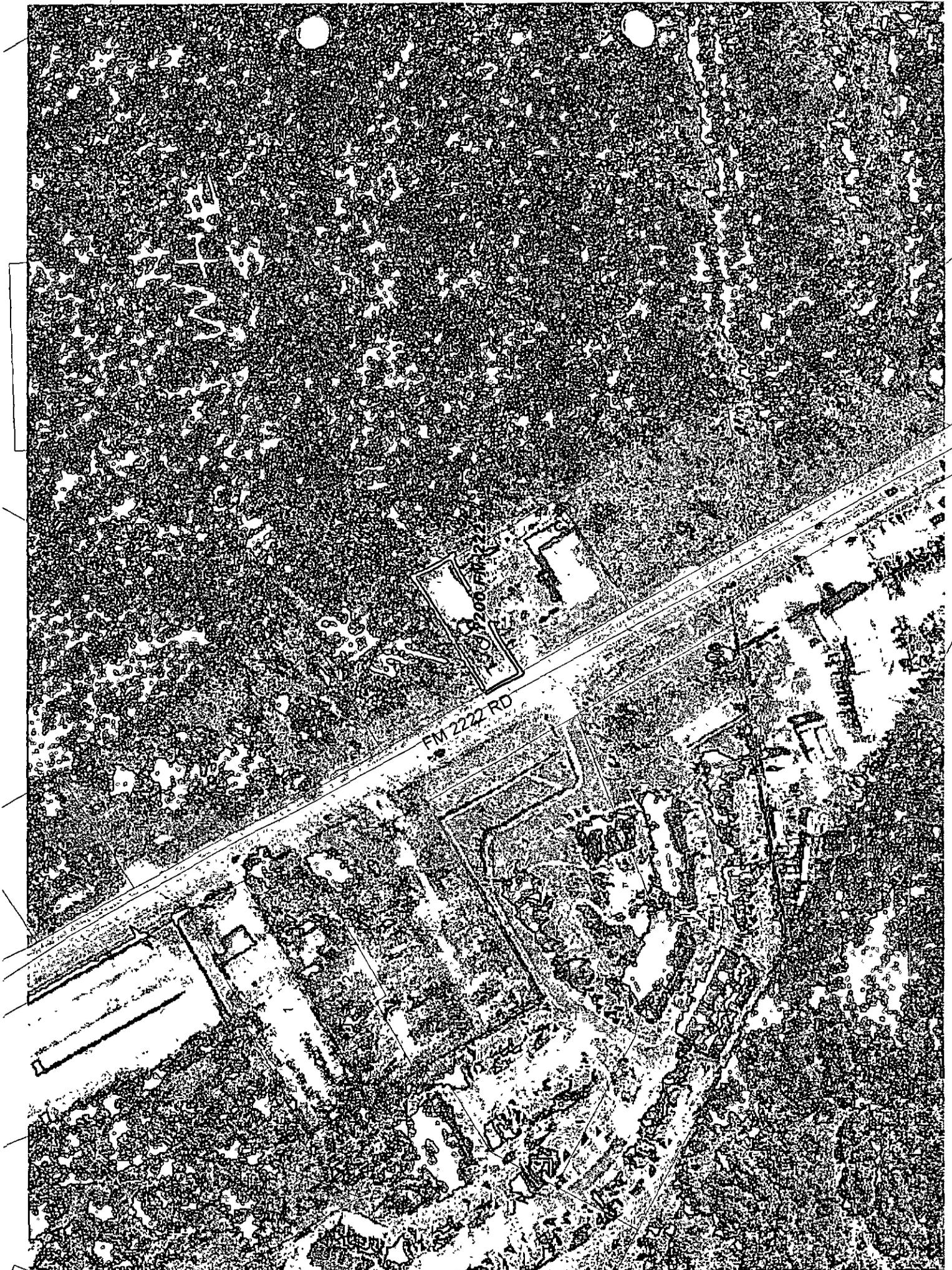
Water and Wastewater

The landowner intends to serve the site with City of Austin water and wastewater utility service. The landowner, at own expense, will be responsible for providing the water and wastewater utility improvements, system upgrades, utility adjustments, and relocation. The water and wastewater utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City of Austin utility design criteria. The water and wastewater

utility construction must be inspected by the City. The landowner must pay the associated and applicable City fees.

Compatibility Standards

The site is not subject to compatibility standards. The adjacent I-SF-2 zoning does not trigger compatibility for the subject site. The townhomes across the street on FM 2222 also do not trigger compatibility because there are more than ten units.



ORDINANCE NO. _____

1 AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE
2 PROPERTY LOCATED AT 11200 F.M. 2222 ROAD AND CHANGING THE
3 ZONING MAP FROM INTERIM SINGLE FAMILY RESIDENCE STANDARD
4 LOT (I-SF-2) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL
5 OVERLAY (GR-CO) COMBINING DISTRICT.
6

7 BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:
8

9 PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to
10 change the base district from interim single family residence standard lot (I-SF-2) district
11 to community commercial-conditional overlay (GR-CO) combining district on the property
12 described in Zoning Case No. C14-06-0232, on file at the Neighborhood Planning and
13 Zoning Department, as follows:
14

15 A 0.292 acre tract of land, more or less, out of the Alex Dunlap Survey No. 805,
16 Travis County, the tract of land being more particularly described by metes and
17 bounds in Exhibit "A" incorporated into this ordinance (the "Property"),
18

19 locally known as 11200 F.M. 2222 Road, in the City of Austin, Travis County, Texas, and
20 generally identified in the map attached as Exhibit "B".
21

22 PART 2. The Property within the boundaries of the conditional overlay combining district
23 established by this ordinance is subject to the following conditions:
24

25 A. A site plan or building permit for the Property may not be approved, released,
26 or issued, if the completed development or uses of the Property, considered
27 cumulatively with all existing or previously authorized development and uses,
28 generate traffic that exceeds 2,000 trips per day.
29

30 B. The following uses are prohibited uses of the Property:
31

32 Automotive rentals
33 Automotive sales
34 Pawn shop services
35

Automotive repair services
Automotive washing (of any type)

1 Except as specifically restricted under this ordinance, the Property may be developed and
2 used in accordance with the regulations established for the community commercial (GR)
3 base district and other applicable requirements of the City Code.
4

5 **PART 3.** This ordinance takes effect on _____, 2007.
6

7
8 **PASSED AND APPROVED**
9

10 §
11 §
12 _____, 2007 § _____
13 Will Wynn
14 Mayor
15

16
17 **APPROVED:** _____ **ATTEST:** _____
18 David Allan Smith Shirley A. Gentry
19 City Attorney City Clerk



Professional Land Surveying, Inc.
Surveying and Mapping

Office: 512-443-1724
Fax: 512-441-6987

2807 Manchaca Road
Building One
Austin, Texas 78704

EXHIBIT A

0.292 ACRES
MAYES TRACT

A DESCRIPTION OF 0.292 ACRES OF LAND OUT OF THE ALEX DUNLAP SURVEY NO. 805 IN TRAVIS COUNTY, TEXAS, CONVEYED TO HENRY B. MAYES, JR. BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN, DATED MAY 15, 1998 AND RECORDED IN VOLUME 13187, PAGE 2996 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.292 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the east right-of-way line of F.M. 2222 (80' right-of-way width), for the northwest corner of said 0.292 acre tract of land and the southwest corner of Lot 4, Block "B", Four Points Centre, a subdivision in Travis County according to the plat recorded in Document No. 200200080 of the Official Public Records of Travis County, Texas;

THENCE North 58°32'42" East, with the north line of the 0.292 acre tract and the south line of said Lot 4, a distance of 212.85 feet to a 1/2" rebar found for the northeast corner of the 0.292 acre tract and angle point in the south line of Lot 4, also being a northwest corner of Lot 5, Block "B", Four Points Centre;

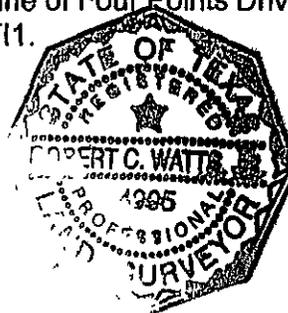
THENCE South 28°21'48" East, with the east line of the 0.292 acre tract and the west line of said Lot 5, a distance of 58.71 feet to a 1/2" rebar found for the southeast corner of the 0.292 acre tract and the northeast corner of a 0.987 acre tract described in Volume 11225, Page 1031 of the Real Property Records of Travis County, Texas;

THENCE South 58°02'08" West, with the south line of the 0.292 acre tract and the north line of said Lot 5, a distance of 213.59 feet to a 1/2" rebar found in the east right-of-way line of F.M. 2222 for the southwest corner of the 0.292 acre tract and the northwest corner of said 0.987 acre tract;

THENCE North 27°45'42" West, with the east right-of-way line of F.M. 2222 and the west line of the 0.292 acre tract, a distance of 60.66 feet to the **POINT OF BEGINNING** containing 0.292 acres more or less.

Surveyed on the ground in January, 1998, Updated on January 24, 2006. Bearing basis is Four Points Centre P.U.D. Plat (90/19), south line of Four Points Drive (South 57°08'49" East). Attachments: Survey Drawing 014-053-T11.

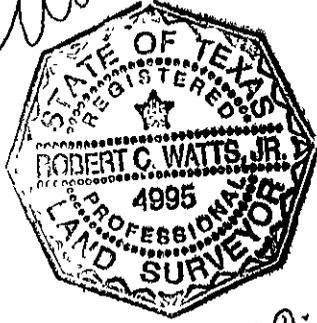

Robert C. Watts, Jr.
Registered Professional Land Surveyor
State of Texas, No. 4995



2-1-06

A SKETCH TO ACCOMPANY A DESCRIPTION OF 0.292 ACRES OF LAND OUT OF THE ALEX DUNLAP SURVEY NO. 805 IN TRAVIS COUNTY, TEXAS, CONVEYED TO HENRY B. MAYES, JR. BY GENERAL WARRANTY DEED WITH VENDOR'S LIEN, DATED MAY 15, 1998 AND RECORDED IN VOLUME 13187, PAGE 2996 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS.

mint



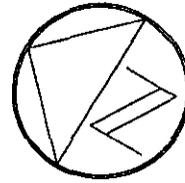
1-29-07

LOT 5, BLK B
FOUR POINTS CENTRE
(200200080)

NEW TPG-FOUR POINTS
(2004203573)

S28°21'48"E 58.71'
(S28°03'20"E 52.00')

6.72'
(6.71')



1"=30'

LOT 4, BLK B
FOUR POINTS CENTRE
(200200080)

NEW TPG-FOUR POINTS
(2004203573)

N58°32'42"E 212.85'
(N58°36'10"E 212.96')

0.292 AC.
HENRY B. MAYES, JR.
(13187/2996)

0.037 ACRE BOUNDARY AND USE AGREEMENT VOL. 11225 PAGE 1048

S58°02'08"W 213.59'
(S58°36'15"W 213.07')

LEGEND

● 1/2" REBAR FOUND

AUSTIN MARINE SERVICE
CORPORATION
(11225/1031)
0.987 ACRES

DATE OF SURVEY: 1/24/06
PLOT DATE: 1/29/07
DRAWING NO.: 014-053-EX1
PROJECT NO.: 014-053

AGREED BOUNDARY
11225/1048

18+21.38
30.34' LT.
P.O.B.

30' WATER &
WASTEWATER ESMT.
(1999048517)

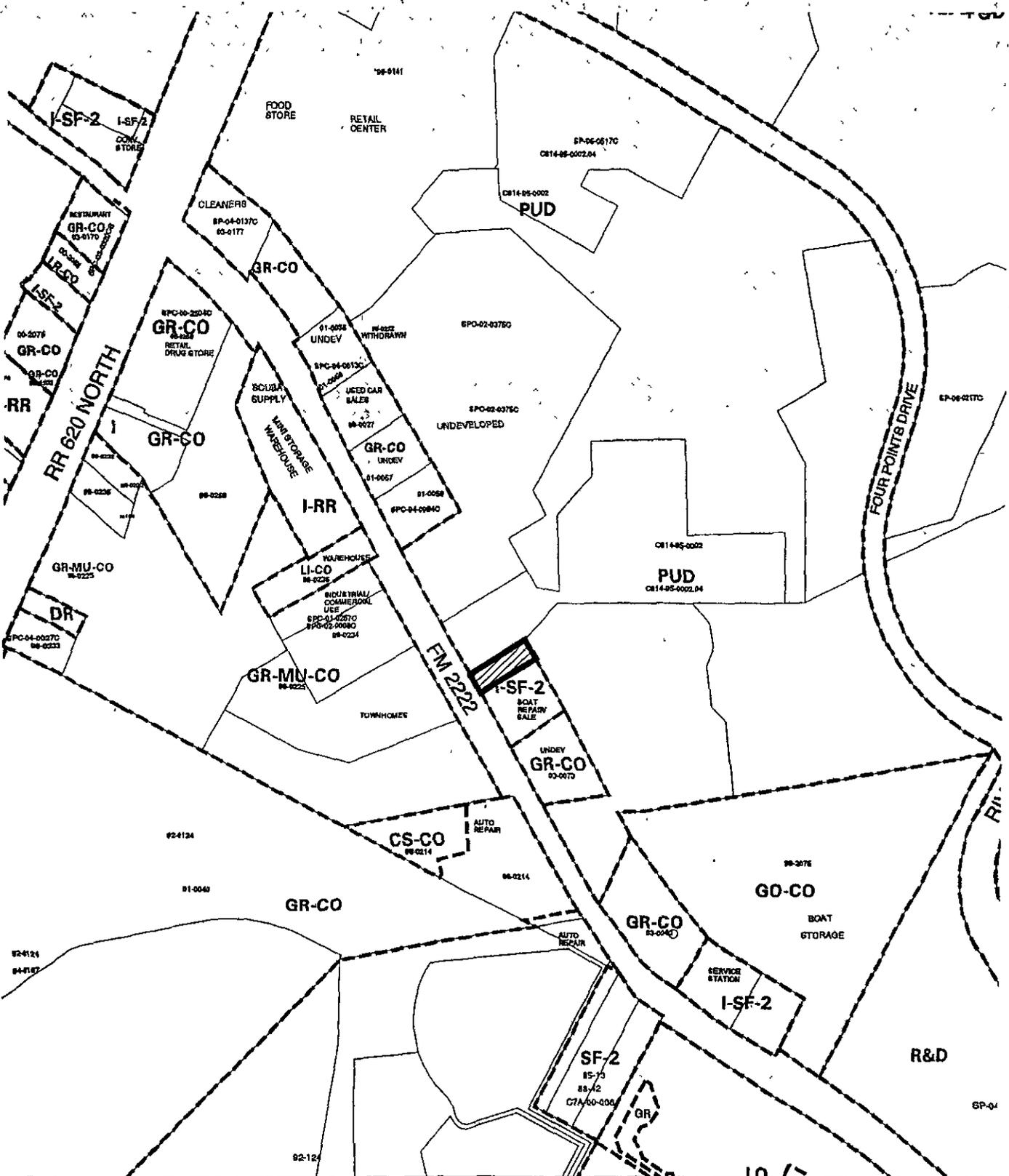
8.52'
(8.50')

F. M. 2222
(80' RIGHT-OF-WAY WIDTH)
ASPHALT PAVING

N27°45'42"W 60.66'
(N27°56'00"W 52')

18+82.03
30.63' LT.

Chaparral



 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT B CASE #: C14-06-0232 ADDRESS: 11200 FM 2222 SUBJECT AREA (acres): 0.292	DATE: 06-12 INTLS: TRC	CITY GRID REFERENCE NUMBER D33
	PENDING CASE 			
	ZONING BOUNDARY 			
	CASE MGR: T.BUI			